

D04

F/TH/21/1439

PROPOSAL: Change of use from builders yard to residential with the erection of 2no three bedroom two storey dwelling and 2no two bedroom two storey dwellings

LOCATION: ROBINSONS Units 2 3 5 6 7And 8 Rear Of 28 High Street BROADSTAIRS Kent

WARD: Bradstowe

AGENT: Mr Malcolm Rowlett

APPLICANT: Mr Simon Robinson

RECOMMENDATION: Defer & Delegate

Defer and delegate to officers for approval subject to the receipt of a signed legal agreement securing the contribution towards the SAMMs project within 6months and the following safeguarding conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The proposed development shall be carried out in accordance with the submitted application as amended by the revised drawings numbered SK10 A and SK11 A received 01 April 2022 and, SK12 B, SK13 B and SK14 B received 24 November 2022.

GROUND;

To secure the proper development of the area.

3 Prior to the commencement of any development on site details to include the following shall be submitted to and approved by the Local Planning Authority and should be carried out in accordance with the approved details.

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage
- (f) Measures to control noise affecting nearby residents
- (g) Dust control measures

(h) Access arrangements

GROUND:

In the interests of highway safety and neighbouring amenity, in accordance with Policy QD03 of the Thanet Local Plan and the advice contained within the NPPF.

4 Prior to the construction of the external surfaces of the development hereby approved samples the materials to be used in the construction of the building(s) shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved samples unless otherwise agreed in writing by the Local Planning Authority.

GROUND:

In the interests of visual amenity in accordance with Policy QD02 of the Thanet Local Plan

5 No external walls shall be constructed with plots 2, 3, or 4 until a minimum of 1 m square sample panel of flint demonstrating the colour, texture, face bond and pointing has been erected on site, and inspected and approved, in writing by, the Local Planning Authority. The development shall be completed in accordance with the approved details.

GROUND:

To safeguard the significance of the adjacent Conservation area and the visual amenities of the area in accordance with Policies HE02 and QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

6 Prior to the installation of any external windows and doors, details at a scale of 1:5 of the windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Such details as are approved shall be carried out concurrently with the development and fully implemented prior to the first occupation of any part of the approved development.

GROUND:

To secure a satisfactory external treatment and to safeguard the special character and appearance of the designated heritage asset in accordance with HE02 and QD02 and advice contained within the National Planning Policy Framework.

7 All new window and door openings shall be set within a reveal of not less than 100mm

GROUND:

To safeguard the significance of the adjacent Conservation area and the visual amenities of the area in accordance with Policies HE02 and QD02 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

8 The refuse storage facilities as specified upon the approved drawing numbered SK10 A received 01 April 2022 and SK12 B and SK14 B received 24 November 2022 shall be provided prior to the first occupation of the development hereby approved and shall be kept available for that use at all times.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

9 Prior to the first occupation of the development, the secure cycle parking facilities, as shown on approved drawing no. SK10 A, SK12 B and SK13 B shall be provided and thereafter maintained.

GROUND:

To promote cycling as an alternative form of transport, in accordance with Policy TP03 and SP43 of the Thanet Local Plan.

10 Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the treatment proposed for all hard surfaced areas beyond the limits of the highway
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan

11 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation; of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies QD02 and GI04 of the Thanet Local Plan.

12 The approved doors and windows shall not open over the highway.

GROUND;

In the interest of highway safety

13 If, during development, significant contamination is suspected or found to be present at the site, then works shall cease, and this contamination shall be fully assessed and an

appropriate remediation scheme agreed with the Local Planning Authority. The approved works shall be implemented within a timetable agreed by the Local Planning Authority and shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including controlled waters. Prior to first occupation/use and following completion of approved measures, a verification report shall be submitted to the Local Planning Authority for approval.

GROUND:

To ensure that the proposed development will not cause harm to human health or pollution of the environment, in accordance with Policy SE03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

14 No further alterations, extensions, alterations/additions to the roof, porches, outbuildings, hard surfacing, chimney/flues or microwave antenna shall be carried out to the dwellings hereby approved whether approved by Schedule 2, Part 1, Classes A, B, C, D, E, F, G or H of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out without the prior permission in writing of the Local Planning Authority.

GROUND:

To safeguard the significance of the adjacent Conservation area and the visual amenities of the area, and the living conditions of neighbouring occupiers. in accordance with Policies HE02, QD02 and QD03 of the Thanet Local Plan and the advice contained within the National Planning Policy Framework.

15 The first floor window in the southern side elevation of the plot 2 hereby approved shall be non-opening below 1.73m above the finished internal floor level, and provided and maintained with obscured glass to a minimum level of obscurity to conform to Pilkington Glass level 4 or equivalent; and shall be installed prior to the first occupation of the development hereby permitted and permanently retained thereafter.

GROUND:

To safeguard the residential amenities currently enjoyed by the occupiers of nearby residential properties in accordance with Policy QD03 of the Thanet Local Plan.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

Thanet District Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband.

Please be aware that your project may also require a separate application for Building Control. Information can be found at:
<https://www.thanet.gov.uk/services/building-control/> or contact the Building Control team on 01843 577522 for advice.

Please ensure that you check the above conditions when planning to implement the approved development. You must clear all pre-commencement conditions before development starts on site. Processing of conditions submissions can take up to 8 weeks and this must be factored into development timescales. The information on the submission process is available here:

<https://www.thanet.gov.uk/info-pages/planning-conditions/>

It is the responsibility of the applicant to ensure, prior to the commencement of the development hereby approved, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highway and Transportation to progress this aspect of the works prior to commencement on site

For the avoidance of doubt, the provision of contributions to as set out in the unilateral undertaking made on (DATE) submitted with this planning application, and hereby approved, shall be provided in accordance with The Schedule of the aforementioned deed.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

SITE, LOCATION AND DESCRIPTION

The site is located to the rear of numbers 28 to 38 High Street Broadstairs and currently has an access between numbers 28 and 30. The site also shares a boundary with Thanet Road.

The site is currently occupied by a number of one and two storey buildings with flat and pitched roofs. The site is predominantly hard surfaced and a high level brick wall extends along the Thanet Road boundary. It appears to have previously been used as a builders yard.

The neighbouring properties fronting the High Street appear to be largely commercial at ground floor level with residential accommodation above and the neighbouring properties on Thanet Road are residential with the exception of a gym.

RELEVANT PLANNING HISTORY

F/TH/21/1608 - Erection of 2no. two storey two bed dwellings. Pending consideration.

F/TH/19/0166 - Change of use and conversion of existing buildings from light industrial (use class B2) to residential (use class C3) to provide 4No 2 bed and 2 No 1 bed dwellings with associated works. Refused 02 February 2021 due to the proposed units not meeting the required space standards and no SAMM contribution.

F/TH/17/1291 - Erection of 2no. two bed dwellings. Granted 05 January 2018

F/TH/14/0636 - Change of use and conversion of building to 3No. three storey dwellings, erection of a detached two storey dwelling building, following demolition of existing building, together with creation of new vehicular access, parking and waste storage area. Granted 08 December 2015

F/TH/03/1435 - Redevelopment of former builder's yard, comprising the conversion and extension of existing workshop/store adjacent to west boundary to provide a terrace of 3 x three-storey dwellinghouses, and erection of a two-storey building adjacent to Thanet Road to provide 2 x one-bed flats and 1 x dwellinghouse, together with associated parking, landscaping and the creation of a new vehicular access to Thanet Road, following demolition of existing workshop adjacent to southern boundary. Granted 30 June 2004

F/TH/99/0225 - Redevelopment of former builders yard to provide six dwellinghouses including part demolition of existing buildings together with associated car parking; landscaping; and creation of new vehicular access to Thanet Road. Granted 03 November 1999

F/TH/93/0787 - Continued use of former workshop building as a garage for vehicle repairs in accordance with the provisions of section 73a (2) (a) Granted 10 March 1999

F/TH/93/0787 - Replace existing window with door to form loading bay. Refused 09 December 1993

PROPOSED DEVELOPMENT

The initial application proposed the change of use from builders yard to residential with the erection of 2no three bedroom two storey dwellings and 4no two bedroom three storey dwellings. Following concerns raised by Officer's regarding the impact of the development upon the character and appearance of the area, the neighbouring living conditions and the proposed internal space standards, amended plans have been submitted altering the design and arrangement of the dwellings. The amended scheme proposes the change of use from builders yard to residential with the erection of 2no three bedroom two storey dwelling and 2no two bedroom two storey dwellings following the demolition of the existing buildings on the site. The proposed dwellings have been reduced in height so that they are all two storeys and would be positioned in similar locations to the existing buildings on the site. Plot 1 would replace the existing two storey flat roof building on the southern side of the site that abuts the buildings that front the High Street. Plot 2 and 3 would replace the two storey pitched roof buildings at the western end of the site and plot 4 would replace the brick and open

storage building located on the boundary with Thanet Road. Access to the site would be through two pedestrian gates on Thanet Road.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan

SP01 - Spatial Strategy - Housing
SP08 - Thanet's Town Centres
SP12 - Broadstairs
SP13 - Housing Provision
SP14 - General Housing Policy
SP22 - Size and Type of Dwellings
SP27 - Green Infrastructure
SP29 - Strategic Access Management and Monitoring Plan
SP30 - Biodiversity and Geodiversity Assets
SP35 - Quality Development
SP37 - Climate Change
SP44 - Accessible Locations
CC01 - Fluvial and Tidal Flooding
HO1 - Housing Development
GI06 - Landscaping and Green Infrastructure
SE05 - Air Quality
QD01 - Sustainable Design
QD02 - General Design Principles
QD03 - Living Conditions
QD04 - Technical Standards
QD05 - Accessible and Adaptable Accommodation
TP03 - Cycling
TP06 - Car Parking

Broadstairs and St Peter's Neighbourhood Plan

BSP9 - Design in Broadstairs & St. Peter's
BSP10 - Shopping Areas
BSP12 - Full Fibre Broadband Connections

NOTIFICATIONS

Letters were sent to neighbouring property occupiers, a site notice was posted close to the site and an advert was posted in the local paper.

One letter of objection has been received raising concerns about the ownership of the site and the boundaries shown on the submitted plans.

Broadstairs and St Peter's Town Council - Updated comments received 11 April 2022

The Planning Committee of the Town Council have reviewed the amendments to this application and recommend REFUSAL, reinforcing their original comments: Over development, town cramming, inadequate parking provision and detrimental to the character of the Town. Should this application be given approval, there should be a submission of a Construction Management Plan, as advised by KCC Highways.

Initial comments received 09 December 2021

The Planning Committee of the Town Council has considered this application and resolved unanimously to recommend REFUSAL with the following concerns: Overdevelopment, town cramming, inadequate parking provision and detrimental to the character of the town.

The Broadstairs Society - The Broadstairs Society comments that the general design is quite attractive mindful of the limited size of the site and the applicants clear desire to maximise density of dwellings, on which we further comment that the road access's generally- in contrast-appear challenging for anything larger than a car. Indeed it is questionable whether service vehicles will be able to negotiate the acute bends prevalent in the area at all. On the matter of vehicular access we observe that there does not seem to be any provision for residential car parking-on site or nearby. Whilst we might be persuaded to support this proposal, from a 'design perspective, we instead take a neutral position for the reasons outlined above.

CONSULTATIONS

KCC Highways - Updated comments received 19 April 2022

Following Kent County Council comments made on March 8th and the submission of amended plans, I have the below comments to make in relation to the bicycle storage.

The applicant has indicated an area for bicycle storage on the re submitted plans however, details regarding the securement of the bikes still needs addressing. The height of the storage area has not been provided and this needs to be demonstrated on a plan. It will also need to be demonstrated how the bicycle storage is secured. Further details regarding the specific unit that is to be used will need to be submitted. This additional information is required to ensure that the bicycle storage facilities are fit for purpose and provide adequate space so that residents are able to manoeuvre their bicycles in and out of these stores.

Initial comments received 08 March 2022

Bin stores are located to the rear of the property, which would be accessed via Thanet Road. In line with Waste & Recycling comments, consideration will need to be given as to suitable bin stores.

Due to the location of the proposal, no objection is raised in relation to nil parking. Thanet Road is subject to parking restrictions along the southern extent, with a small number of parking bays close to the junction with Prospect Place.

On balance, no objection is raised on behalf of the Local Highway Authority, subject to the following Conditions:

Submission of a Construction Management Plan before the commencement of any development on site to include the following:

Routing of construction and delivery vehicles to / from site

Parking and turning areas for construction and delivery vehicles and site personnel

Timing of deliveries

Provision of wheel washing facilities

Temporary traffic management / signage

Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

Southern Water - Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

Reuse

Infiltration

Watercourse

Storm sewer

Combined Sewer

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

TDC Environmental Health - I note the application introduces new residential properties to the rear of commercial properties on the High Street, Broadstairs. These include a pub, fish and chip shop and burger restaurant. I therefore would have concerns in relation to noise from these premises along with any associated plant noise that may affect the new dwellings, particularly on a weekend. Therefore the following condition would be appropriate:

Prior to the commencement of the development hereby approved, an Acoustic Design Statement in accordance with ProPG Planning & Noise 2017 scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back gardens and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

TDC Waste and Recycling - We have concerns about the current location of the communal bin store. The road that we will need to access these from, Thanet Road, is very narrow and we are unable to access this with our standard sized vehicles. In addition there are currently parking spaces at the rear of the proposed site that, if they remain, will cause access issues. We note that there is a ramp to the side of the proposed bin store - will the access for bin collection be level?

COMMENTS

This application has been brought before members by Cllr Bayford to consider whether the proposed development constitutes overdevelopment, cramming and inadequate parking.

Principle

The site is located within the urban confines of Broadstairs and comprises a number of buildings and an area of hardstanding that appear to have last been used for employment purposes.

The Council cannot currently demonstrate a five year housing land supply. In the absence of a five year housing land supply paragraph 11 of the Framework is triggered and there is a presumption in favour of sustainable development. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

The site is not allocated under policy E01 for the retention of existing employment sites and whilst policy BSP11 of the Broadstairs and St Peter's Neighbourhood Plan restricts the loss of sites that were last in use for employment uses given the limited size of the site and the close proximity to neighbouring residential dwellings it is not considered suitable for employment uses. Furthermore the Broadstairs and St Peter's Neighbourhood Plan has not yet undergone a referendum and therefore cannot currently be given full weight.

Policy HO1 of the Thanet Local Plan States that permission for new housing development will be granted on non-allocated sites within the confines of the urban area subject to meeting other relevant Local Plan policies.

Part of the southern side of the site falls within the primary shopping frontage as defined by policy E04 of the Thanet Local Plan, which only permits residential uses above ground floor level. The entrance to the site from the High Street also falls within the shopping area as defined by policy BSP10 of the Broadstairs and St Peter's Neighbourhood Plan. The site comprises an area of land to the rear of the buildings fronting the High Street and makes no changes to these neighbouring buildings. It is therefore considered that due to the location the proposed development would have no significant impact upon the primary shopping frontage.

Previous permissions granted consent for the redevelopment and erection of new development on the site and the principle of development was considered acceptable as part of the 2019 application. There have been no principle policy changes since these decisions, therefore the principle of redevelopment and change of use should be given weight.

The principle of residential development is therefore considered acceptable subject to all other material considerations.

Character and Appearance

Paragraph 130 of the National Planning Policy Framework states that development should be sympathetic to local character and the surrounding built environment and establish and maintain a strong sense of place.

Policy QD02 of the Thanet Local Plan provides general design principles for new development and states that the primary planning aim in all new development is to promote or reinforce the local character of the area and provide high quality and inclusive design and be sustainable in all other respects.

Policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan states that development proposals that conserve and enhance the local character and sense of identity of the Plan area will be encouraged. Proposals should take account of the Design Guidelines. Proposals which demonstrate that they reflect the design characteristics of the area and have taken account of the Design Guidelines will be supported.

The site is located adjacent to the conservation area on Thanet Road and therefore therefore the Council must take into account Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires that in relation to conservation areas, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.' Paragraph 192 of the National Planning Policy Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF requires that where a development causes substantial harm, or less than substantial harm but where the harm is not outweighed by public benefit, permission should be refused. In this instance regard must be given to the previous consents for a similar development on the site in 2015, 2003 and 1999. In those instances development of the application site with broadly similar schemes in terms of bulk and massing were considered to be acceptable without having detrimental impacts to the adjoining Conservation Area.

The proposed dwellings would be located in similar positions to the existing buildings on the site and whilst the buildings at the western end of the site make a positive contribution to the area with an industrial appearance and flint walls, the substantial two storey building located adjacent to Thanet Road is constructed from brick at ground floor level and has a large open flat roof timber structure above. This building is unsightly and is of rudimentary construction affecting the general character and appearance of the surrounding area. Similarly the flat roof building on the southern side of the site, whilst less prominent, has a functional appearance.

The removal of the two flat roof structures is therefore not considered to result in any significant harm to the character and appearance of the area. The flint buildings on the western boundary are considered to be of a positive design, however given their position in

the site, the surrounding development and the height of the boundary wall, these buildings are not considered to be highly visible and therefore their removal is not considered to result in any significant harm to the character and appearance of the area, or the adjacent conservation area.

The amended plan has altered the roof of Plot 1 from pitched to flat giving a similar appearance to the existing building and given its position, away from the boundary of the site, +would continue to have limited visibility from Thanet Road. Plots 2 and 3 would replace the existing flint buildings and have a different footprint and design, however the proposed design would retain some industrial features that are visible in the existing buildings including flint to the ground floor elevations, large metal framed windows and red multi stock bricks. Plot 4 would replace an existing obtrusive open timber framed structure that is located on the Thanet Road boundary of the site. The existing boundary wall would be retained and would form part of the rear elevation of plot 4. This dwelling would be constructed from red stock bricks to the rear and first floor to match the boundary wall and flint to the front and side elevations.

The development is located to the rear of the High Street where the dwellings are smaller in scale and more tightly knit in arrangement. The proposed dwellings would have a larger footprint than the existing buildings on the site, however this is not considered to be significantly out of keeping with the pattern of development in the area with the courtyard arrangement reflective of the current arrangement of buildings on the site.

The proposed dwellings would be two storey in height with pitched and flat roofs and would be constructed from red and yellow multi stock bricks with flint panels and slate roofs. The proposed windows would be constructed from metal and set in reveals. The roof designs and the materials proposed for the dwellings are considered to be appropriate for the area. Samples of the proposed materials would be secured by condition to ensure that they are of a suitable quality for the area, including a panel of the flint sections on plots 2,3 and 4.

This proposal would result in a visual change that could be seen from the adjacent conservation area and from Thanet Road, however the amended designs and materials are considered to be appropriate for the area and given the existing structures on the site, this proposal is not considered to appear out of keeping with surrounding development. The scale of development on the site is not increasing significantly above the existing structures and therefore the development would not appear cramped or congested in its context. It is therefore considered that the amended proposal would not result in any significant harm to the character and appearance of the area, complying with policy BSP9 of the Broadstairs and St Peter's Neighbourhood Plan, policies HE02 and QD02 of the Thanet Local Plan and the National Planning Policy Framework.

Living Conditions

The proposed dwellings would be located in similar positions to the existing buildings on the site. Plot 1 would replace the existing two storey flat roof building on the southern side of the site that abuts the buildings that front the High Street. The amended plan has altered the design of this building from a pitched roof dwelling to a flat roof dwelling with a similar height to the existing building.

Plot 2 and 3 would replace the two storey pitched roof buildings at the western end of the site. The proposed buildings would be 1m lower and 3m narrower and 2m deeper than the existing. These dwellings would be set off the southern boundary of the site by 3.9m and the site to the rear appears to be entirely occupied by built development. Plot 4 would be 1m taller than the open scaffold building to the ridge and there would be a separation distance of 7.9m to the closest neighbouring properties, 1 and 5 Thanet Road. Given the existing development on the site, the similar locations and the modest changes in scale, this proposal is not considered to result in any significant loss of light or sense of enclosure to adjacent neighbouring properties to warrant refusal of the application.

One rooflight is proposed in the rear roofslope of plot 1 serving a stairwell. This rooflight would be set at high level above the internal floor and therefore offer limited opportunity for overlooking. There are no windows proposed in the rear elevations of plots 2 and 3 and the windows in the southern elevation of plot 2 would serve non-habitable rooms. A condition would be applied to these windows in plot 2 to ensure that they are obscure glazed and fixed shut to avoid any significant overlooking. The front windows for all the dwellings would face into the site and due to the position of the other proposed dwellings are not considered to result in any significant overlooking to the neighbouring properties. The northern windows in the upper floors of plots 3 and 4 would face towards Thanet Road. There would be a separation distance of 11m from the side elevation of plot 2 to 1 Thanet Road. This neighbouring property has a large rear projection that would limit views from these windows. The rear windows of plot 4 would face towards a garage and a gym on the northern side of Thanet. It is therefore considered that given the arrangement of the proposed dwellings and the neighbouring properties the proposed development would not result in any significant overlooking to the neighbouring dwellings. It is considered necessary to remove permitted development rights to avoid any potential to affect the living conditions from alterations or enlargements given the constrained nature of the site.

Future occupiers

The amended dwellings would all meet the space standards set out within policy QD04 of the Thanet Local Plan and all habitable rooms would receive natural light and ventilation. Whilst the outlook from the dwellings would be restricted to a degree by the proposed buildings and some mutual overlooking between the proposed dwellings would result, this is not considered to be significantly harmful and would be weighed against the need for housing in the district.

The Council's Environmental Health Department have reviewed the application and, given the proximity of the site to the commercial properties on the High Street, have requested that an acoustic design statement is submitted by condition to ensure that these neighbouring premises would not result in any significant noise and disturbance to the proposed residential dwellings. It is considered that subject to this condition there would be no significant noise and disturbance to the future occupants of the site.

Amenity spaces are proposed to the side of each dwelling and a landscaping condition would request details of the boundary treatments for these areas to ensure that they are suitable for doorstep play space.

Concern has been raised regarding the location of the proposed bin collection point. The agent has confirmed that this would be level with the highway and this is located in a residential street where properties currently receive collections using a small refuse vehicle. An amended plan has been submitted altering the gates so that they are sliding and conditions would be imposed to ensure that none of the windows, doors or gates open over the highway and as noted above KCC Highways have raised no objection to the formation of access in this location. The proposed bin store and collection points are therefore considered suitable for the scale of development proposed.

Transportation

The site is positioned in a highly sustainable location with direct access to Broadstairs High Street and within the town centre area as designated by policy TP06 of the Thanet Local Plan. This policy states that; "Within the town centres of Margate, Ramsgate and Broadstairs (as defined on the Policies Map) new development proposals will not be required or expected to provide on site car parking spaces." The proposed development does not include any on site parking, however given the location of the site and the previous use this is not considered to result in a significant increase in demand for on street parking.

Access to the site would be from Thanet Road with an access to the bin store and a pedestrian access formed in this boundary. On street parking is currently located on Thanet Road along this boundary with one hour parking restrictions. The proposed pedestrian access would result in the alteration to the existing parking bays along this road, however they are limited in size and therefore this is not considered to result in a significant change to the available on street parking. There would be no parking within the site or direct access to the High Street as an extension has been approved to the site of 28 High Street under application reference F/TH/21/1591. The remaining section of path adjacent to number 30 High Street is not within the applicants ownership.

KCC Highways have reviewed the application and have raised no objections in terms of highway safety subject to the submission of a construction management plan. The site would be expected to be accessed for construction from Thanet Road, which would be expected to result in a temporary impact of the on-street parking available. This plan would be conditioned for agreement with KCC Highways to ensure that any disruption is minimised, and a condition would also be applied to ensure that no doors, windows or gates in the new development open over the public highway.

A bike storage area is proposed within the site and all of the dwellings would have private amenity spaces where bikes could also be stored. Full details of the proposed cycle storage area would be secured by condition.

Therefore whilst concerns have been raised about the lack of parking, the proposal accords with Thanet Local Plan policy TP06 being in a highly sustainable location where car parking is not a policy requirement nor a necessity for occupants, with provision of cycle parking and pedestrian access for the development provided. Subject to the conditions outlined above, the development is not considered to result in significant harm to highway safety or amenity.

Financial Contributions

Natural England has previously advised that the level of population increase predicted in Thanet should be considered likely to have a significant effect on the interest features for which the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and RAMSAR have been identified.

Thanet District Council produced the 'The Strategic Access Management and Monitoring Plan (SAMM)' to deal with these matters, which focuses on the impacts of recreational activities on the Thanet section of the Thanet Coast and Sandwich Bay Special Protection Area (SPA). The studies indicate that recreational disturbance is a potential cause of the decline in bird numbers in the SPA. To enable the Council to be satisfied that proposed residential development will avoid a likely significant effect on the designated sites (due to an increase in recreation) a financial contribution is required for all housing developments to contribute to the district wide mitigation strategy. This mitigation has meant that the Council accords with the Habitat Regulations.

The applicant has agreed to submit a unilateral undertaking securing the required financial contribution to mitigate the additional recreational pressure on the SPA area. Therefore subject to the submission of a completed and signed unilateral agreement, the impact upon the SPA is considered to be acceptable.

Other Matters

The proposed development would be conditioned to ensure that the new dwelling meets the water and energy efficiency standards set out within policies QD01 and QD04 of the Thanet Local Plan.

Conclusion

The Council cannot currently demonstrate a five year housing land supply. In the absence of a five year housing land supply paragraph 11 of the Framework is triggered and there is a presumption in favour of sustainable development. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

This development would result in the reuse of an existing brownfield site adjacent to the High Street and the erection of four family dwellings within a sustainable location. The existing buildings at the western end of the site are considered to be of some design merit and would be removed as part of this proposal, however the existing flat roof building is considered to have a neutral impact upon the character and appearance of the area and the large structure used for open storage on the Thanet Road boundary is considered to have a negative impact and would be removed. The proposed dwellings are considered to be of a design and scale that is appropriate for the area and it is considered that this development would result in an overall improvement to the character and appearance of the area. The four new dwellings would result in a modest contribution to the district's housing supply whilst the proposal is considered to result in an improvement to the character and appearance of the area. The development would not result in any significant harm to the living conditions of the

neighbouring property occupiers or highway safety, providing an acceptable standard of accommodation for the future occupants. Therefore any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits of the proposed development when assessed against the Thanet Local Plan and the National Planning Policy Framework, and the development is recommended to be deferred and delegated to officers for approval subject to safeguarding conditions and the receipt of a legal agreement securing the contribution towards the SAMMs project.

Case Officer

Duncan Fitt

TITLE: F/TH/21/1439

Project ROBINSONS Units 2 3 5 6 7 And 8 Rear Of 28 High Street BROADSTAIRS
Kent

